

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1656 of 2017

Ram Narayan Rajwade @ Gohe, S/o. Sukhmohan Rajwade, Aged About 26 Years, R/o. Village Tendupara, Chowki Basdehi, Police Station Surajpur, District Surajpur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Out Post: Basdehi, Police Station Surajpur, District Surajpur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Sushil Dubey, Advocate

For Respondent : Mr. Neeraj Mehta, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

24/03/2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.25/2017 registered at Police Chowki- Basdehi, Police Station- Surajpur, District Surajpur (C.G.) for the offence punishable under Section 306 of Indian Penal Code.
2. As per the prosecution case, one Manti Bai along-with her son aged about 2 ½ years found dead in the Well. The brief facts is that the present applicant who is husband of the deceased has abetted the deceased to commit suicide as frequent quarrel took place in between the husband and wife. Subsequently, in the intervening night of 3/4-1.2017, the deceased jumped into the Well along-with her son and committed suicide; thereby the applicant has abetted the deceased for commission of offence.

3. Learned counsel for the applicant would submit that because of the trivial issue and dispute, the deceased herself has jumped into the Well and the applicant has not abetted for the offence. He further submits that the charge sheet has been filed and no further investigation is necessary, therefore, the applicant may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. Considering the facts and circumstances and the nature of evidence, without any observation on merit, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge